**GRANT FUNDING OPPORTUNITY**

**Geothermal Grant and Loan Program**



**GFO-23-402**

http://www.energy.ca.gov/contracts/index.html

**State of California**

**California Energy Commission**

**~~February 23, 2024~~**

**April 12, 2024**

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| **Attachments**

| Attachment Number | Title of Section |
| --- | --- |
| 1 | Application Form ***(requires signature)*** |
| 2 | Executive Summary Form  |
| 3 | Project Narrative Form |
| 4 | Project Team Form |
| 5 | Scope of Work  |
| 6 | Project Schedule |
| 7 | Budget Forms |
| 8 | CEQA/Environmental Compliance Form  |
| 9 | Commitment and Support Letter Form ***(require signature)*** |
| 10 | Applicant Declaration ***(require signature)*** |
| 11 | Local Jurisdiction Resolution **(*require signature)*** |
| 12 | Feasibility Study |
| 13 | Contacts |
| 1A | Technical Assistance Application Form ***(requires signature)*** |
| 2A | Technical Assistance Project Summary |
| 3A | Technical Assistance Scope of Work |

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Added language appears in **bold underline**, and deleted language appears in [~~strikethrough~~] and within square brackets.

# I. Introduction

## Purpose of Solicitation

The purpose of this solicitation is to award grants to fund projects focused on geothermal energy and lithium recovery from geothermal brine that support local jurisdictions and private entities to advance the geothermal sector and related activities per Public Resource Code (PRC) Sections 3800-3827 and California Code of Regulations (CCR) Sections 1660-1665. **Under no circumstances will loans be issued under this solicitation**.

This solicitation aims to support the goals of Senate Bill 100 (SB 100, De Leon, Chapter 312, Statures of 2018), Assembly Bill 32 (AB 32, Nunez, Chapter 488, Statutes of 2006), and SB 32 (Pavley, Chapter 249, Statutes of 2016) to meet the eligible renewable energy, zero-carbon energy, and greenhouse gas emission reduction goals.

The proposed projects must not exceed thirty-six (36) months in length – the project term must be in alignment with the proposed project scope and budget, and it is encouraged to explain that alignment in the Project Narrative (Attachment 3). The proposed projects are limited to addressing one of the eligible purposes allowed by the Geothermal Grant and Loan Program, as presented in Section I.C., Project Focus, per PRC Section 3823.

This solicitation will be conducted as a two-phase process. Phase one is for local jurisdictions that want to compete for technical assistance funds to develop and prepare the full proposal for this solicitation. Phase one applicants need to complete a 1) Technical Assistance Application Form, 2) Technical Assistance Project Summary, and 3) Technical Assistance Scope of Work. Phase two is for local jurisdictions and private entities to submit the full proposal, as indicated in Section I E. (Key Activities Schedule) of this solicitation.

See Part II of this solicitation for applicant and project eligibility requirements. Phase one and Phase two applications will be evaluated as follows: (1) proposal screening and (2) proposal scoring, as fully described in Section IV. Applicants may submit multiple applications, though each application must address **only one** of the eligible purposes identified in Section 1 C. (Project Focus) of this solicitation. If an applicant submits multiple applications, each application must be for a distinct project (i.e., no overlap with respect to the tasks described in the Scope of Work).

Prospective applicants looking for partnering opportunities for this funding opportunity should register on the California Energy Commission (CEC)’s Empower Innovation website at [[www.empowerinnovation.net](http://www.empowerinnovation.net)](http://www.empowerinnovation.net).

## Key Words/Terms

| **Word/Term** | **Definition** |
| --- | --- |
| Applicant | Entity that submits an application to this solicitation.  |
| Application | An applicant’s written response to this solicitation. |
| Authorized Representative | *Authorized Representative*, the person signing the application form who has authority to enter into an agreement with the CEC.  |
| California Native American tribe  | A Native American tribe located in California that is on the contact list maintained by the Native American Heritage Commission for the purposes of Chapter 905 of the Statutes of 2004 (Pub. Resources Code, § 21073).~~[(“California Native American tribe” may be used interchangeably with “Unit of Indian Government”).]~~  |
| CAM | *Commission Agreement Manager,* the person designated by the CEC to oversee the performance of an agreement resulting from this solicitation and to serve as the main point of contact for the Recipient. |
| CAO | Commission Agreement Officer |
| CCR | California Code of Regulations. CCR Sections 1660 to 1665 relate to the CEC’s Geothermal Grant and Loan Program.  |
| CEC | State Energy Resources Conservation and Development Commission or, the California Energy Commission. |
| CEQA | California Environmental Quality Act, PRC Section 21000 et seq. |
| County of Origin | “County of origin”, as defined in PRC Section 3806, means any county in which the United States has leased lands for geothermal development. |
| Days | *Days refers to calendar days.* |
| Disadvantaged Community | These are communities designated pursuant to Health and Safety Code section 39711 as representing the top 25% scoring census tracts from CalEnviroScreen along with other areas with high amounts of pollution and low populations as identified by the [California Environmental Protection Agency](https://oehha.ca.gov/calenviroscreen/report/calenviroscreen-40).  |
| Eligible purposes | Refers to the scope of projects eligible for funding, as defined in PRC Section 3823 and specifically delineated in Section I. C of this document.  |
| Eligible applicants | A Local Jurisdiction as defined in PRC Section 3807, or a Private Entity as defined in PRC Section 3809.  |
| Extraction of minerals from geothermal brine  | Lithium extraction is the process of removing lithium from the geothermal brine using selective materials and chemical process. Geothermal brine is a hot and concentrated saline solution, having circulated through the very hot rocks of geothermal areas, and are enriched with minerals, such as lithium, boron, and potassium. Pursuant to PRC Section 3823, certain activities relating to the extraction of minerals from geothermal brine may qualify as an Eligible Purpose under this solicitation. Extraction of minerals is also referred to mineral recovery or lithium recovery. |
| Geothermal resources | As per the U.S. Department of Energy, Geothermal resources are reservoirs of hot salty water (brine) that naturally exist at varying temperatures and depths below the Earth's surface Geothermal wells, ranging from a few feet to several miles deep, can be drilled into underground reservoirs to tap steam and very hot brine that can be brought to the surface for use in a variety of applications, including electricity generation, direct use, and heating and cooling. New technologies, such as an Enhanced Geothermal System, create a reservoir, where there is hot rock but insufficient or little natural permeability or fluid. Enhanced Geothermal System could facilitate geothermal development beyond traditional hydrothermal regions, such as volcanoes and fumaroles (holes in the earth where volcanic gases are released), hot springs, and geysers.  |
| GRDA | The Geothermal Resources Development Account, established by PRC Section 3820, provides funding for the CEC's Geothermal Grant and Loan Program. |
| GSS | [Grant Solicitation System](https://gss.energy.ca.gov/) |
| Key personnel | Individuals that are critical to the project due to their experience, knowledge, and/or capabilities. |
| Local Jurisdiction | “Local jurisdiction”, as defined in PRC Section 3807, means any unit of Indian government, any city, county, or district, including, but not limited to, a regional planning agency and a public utility district, or any combination thereof formed for the joint exercise of any power, except that “public utility district” does not include any public utility district which generates for sale more than 50 megawatts gross of electricity. |
| Low Income Community | *Low-income Communities* are defined as communities within census tracts with median household incomes at or below 80 percent of the statewide median income or the applicable low-income threshold listed in the state income limits updated by the Department of Housing and Community Development. (https://www.hcd.ca.gov/grants-funding/income-limits/state-and-federal-income-limits.shtml) |
| NOPA | *Notice of Proposed Award,* a public notice by the CEC that identifies award recipients. |
| NOTAR | Notice of Technical Assistance Application Results |
| PRC | The California Public Resources Code is one of 29 Codes that contain state statutes. The Public Resources Code, or PRC as it is often referred to is a compilation of most state environmental laws, from oceans to forests. The PRC contains 74 Divisions. There are also numerous parts, chapters, and articles containing hundreds of code sections, or individual statutes. PRC Sections 3800 to 3827 relate to the CEC’s Geothermal Grant and Loan Program.  |
| Principal Investigator | The technical lead for the applicant’s project, who is responsible for overseeing the project; in some instances, the Principal Investigator and Project Manager may be the same person.  |
| Private Entity | “Private Entity”, as defined in PRC Section 3809, means any individual or organization engaged in the exploration and development of geothermal energy for profit. |
| Project Manager | The person designated by the applicant to oversee the project and to serve as the main point of contact for the CEC. |
| Project Partner | An entity or individual that contributes financially or otherwise to the project (e.g., match funding,), and does not receive CEC funds.  |
| Recipient |  An entity receiving an award under this solicitation. |
| Solicitation or GFO | Grant Funding Opportunity, which refers to this entire document, including all attachments, exhibits, any addendum and written notices, and questions and answers (“solicitation” may be used interchangeably with “Grant Funding Opportunity”).  |
| State | State of California |
| Tribal Lands | Tribal lands include:* Land which is located within the boundaries of an Indian reservation, pueblo, or rancheria.
* Land not located within the boundaries of an Indian reservation, pueblo or rancheria, the title to which is held:
* in trust by the United States for the benefit of an Indian tribe or an individual Indian
* by an Indian tribe or an individual Indian, subject to restriction against alienation under laws of the United States
* by a dependent Indian community
* Land held under a long-term land lease (as a minimum, for the useful life of the proposed project) by an Indian tribe.
* Lands held in fee simple (purchased or owned) by an Indian tribe.
 |
| **Unit of Indian Government** | **A California Native American tribe or a subdivision, agency, department, county, parish, municipality, or other unit of the government thereof, and includes, but is not limited to, a tribal public utility district.** |

## Project Focus

Projects under this solicitation must relate to the development of geothermal energy resources and/or lithium recovery from geothermal brine based on the activities described in the selected eligible purposes, as defined in PRC Section 3823 and this Section I. C. For Phase 2 applications, the Project Narrative (Attachment 3) must include and discuss only one of the following selected eligible purposes, pursuant to the PRC Section 3823 (Phase 1 applications are not required to select an eligible purpose):

(a) Undertaking research and development projects relating to geothermal resource assessment and exploration, and direct-use and electric generation technology. This also includes undertaking research and development projects such as resource assessment and exploration of lithium recovery from geothermal brine.

(b) Local and regional planning and policy development and implementation necessary for compliance with programs required by local, state, or federal laws and regulations, related to geothermal resources and/or lithium recovery from geothermal brine.

(c) Identification of feasible measures that will mitigate the adverse impacts of the development or production of geothermal resources, the extraction of minerals from geothermal brines, and related activities, and the adoption of ordinances, regulations, and guidelines to implement those measures. Extraction of minerals from geothermal brine is limited to lithium recovery.

(g) Monitoring and inspecting geothermal facilities and related activities to assure compliance with applicable laws, regulations, and ordinances. This includes lithium recovery facilities and its related activities.

(h) Identifying, researching, and implementing feasible measures that will mitigate the adverse impacts of the development or production of geothermal resources, extraction of minerals from geothermal brines, and related activities, including mitigation measures that provide community benefits directly or indirectly related to adverse social and economic impacts. Extraction of minerals from geothermal brine is limited to lithium recovery.

(i) Planning, constructing, providing, operating, and maintaining those public services and facilities that are necessitated by, and result from, the development or of geothermal resources, the extraction of minerals from geothermal brines, and related activities. Extraction of minerals from geothermal brine is limited to lithium recovery and its related activities.

(k) Undertaking projects for the enhancement, restoration, or preservation of natural resources, including, but not limited to, water development, water quality improvement, fisheries enhancement, and park and recreation facilities and areas.

(l) In furtherance of the state’s zero-emission vehicle and energy storage objectives, undertaking projects to recover lithium, metals, agricultural products, and other beneficial minerals from highly mineralized geothermal brines at a geothermal facility that is in a disadvantaged community and provides local employment opportunities. This also includes a projected greenfield geothermal facility that is not currently installed or in operation.

## Funding

1. **Amount Available and Minimum/ Maximum Funding Amounts**

For Phase One Technical Assistance to Local Jurisdictions, there is **up to** **$100,000** available funding. Technical assistance is provided to support local jurisdictions in developing and preparing a full proposal for Phase Two. During Phase One, the maximum funding amount for technical assistance that can be awarded to each applicant is **$10,000.**

Pursuant to PRC Section 3822.2, the CEC may expend funds under this program to provide direct technical assistance to local jurisdictions. The total of all amounts awarded to selected local jurisdictions for direct technical assistance shall not exceed five percent (5%) of all funds available under this solicitation or one hundred thousand dollars ($100,000), whichever amount is less. When selecting projects that will receive direct technical assistance, the CEC will consider, but is not limited to a consideration of, all of the following information to be provided by applicants:

1. The availability of energy resource and technology opportunities.
2. The project definition and likelihood of success.
3. Local needs and potential project benefits.

For Phase Two Full Applications, there is **up to** **$**~~[4,560,000]~~ **5,700,000** available for grants awarded under this solicitation. The minimum funding amount for each project is **$250,000.** The maximum funding amount is **$1,500,000.**

The total available funding, maximum and minimum funding amounts and minimum match funding for each Phase are listed below.

| Phase | Available funding | Minimum award amount | Maximum award amount | Minimum match funding(% of Funds Requested) |
| --- | --- | --- | --- | --- |
| Phase One: Technical Assistance for Local Jurisdictions | $100,000 | No minimum | $10,000 | 0% |
| Phase Two: Full Applications. Open to Local Jurisdictions and Private Entities.  | $~~[4,560,000]~~ **5,700,000** | $250,000 | $1,500,000 | 0% for local jurisdiction100% for private entities |

1. **Match Funding Requirement**

Match funding is not required for local jurisdictions **under Phase One or Phase Two**. However, match funding is required in the amount of 100% of the requested grant funds for private entities **for Phase Two**. (see Scoring Criteria in Section IV.H.). For the definition of match funding see Section I.J.

1. **Change in Funding Amount**

Along with any other rights and remedies available to it, the CEC reserves the right to:

* Increase or decrease the available funding **in any phase** and the minimum/maximum award amounts described in this section.
* **Reallocate any unawarded funds from Phase One to increase the available funding in Phase Two**
* Allocate any additional or unawarded funds to passing applications, in rank order.
* Reduce funding to an amount deemed appropriate if the budgeted funds do not provide full funding for agreements. In this event, the Recipient and Commission Agreement Manager (CAM) will reach agreement on a reduced Scope of Work commensurate with available funding.

## Key Activities Schedule

Key activities, dates, and times for this solicitation and for agreements resulting from this solicitation are presented below. An addendum will be released if the dates change for activities that appear in **bold.**

| ACTIVITY | DATE | TIME[[1]](#footnote-2)  |
| --- | --- | --- |
| Solicitation Release | February 6, 2024 |  |
| **Pre-Application Workshops** | **See Section F. below this table**  |  |
| **Deadline for Written Questions[[2]](#footnote-3)** | ~~[March 8, 2024]~~**March 29, 2024** | **5:00 p.m.** |
| Anticipated Distribution of Questions and Answers  | Week of ~~[March 18, 2024]~~**~~[April 8, 2024]~~** **April 15, 2024**  |  |
| **Deadline to Submit Technical Assistance Application** | ~~[April 12, 2024]~~**May 3, 2024** | **11:59 p.m.** |
| Anticipated Notice of Technical Assistance Application Results **(NOTAR)** Posting Date | Week of ~~[May 6, 2024]~~**June 3, 2024** |  |
| Anticipated CEC Business Meeting Date for Technical Assistance Awards | ~~[July 10, 2024]~~**August 14, 2024**  |  |
| **Anticipated Agreement Start Date for Technical Assistance** | **September 27, 2024** |  |
| **Deadline to Submit Full Applications**  | ~~[Expected 4~~~~th~~ ~~Quarter of 2024]~~**January 27, 2025** | **11:59 p.m.** |
| Anticipated Notice of Proposed Award (NOPA) Posting Date | ~~[Expected]~~ ~~[4~~~~th~~ ~~Quarter of 2024]~~**[~~1~~~~st~~ ~~Quarter of 2025~~]** **Week of March 17, 2025** |  |
| Anticipated CEC Business Meeting Date for Full Application Awards | ~~[Expected]~~ [~~1~~~~st~~ ~~Quarter of 2025]~~**~~[2~~~~nd~~ ~~Quarter of 2025]~~****June 11, 2025** |  |
| Anticipated Agreement Start Date for Full Application Projects | ~~[Expected] [1~~~~st~~ ~~Quarter of 2025]~~**~~[2~~~~nd~~ ~~Quarter of 2025]~~****August 11, 2025** |  |
| Anticipated Agreement End Date for Full Application Projects | ~~[Expected] [1~~~~st~~ ~~Quarter of 2028]~~**~~[2~~~~nd~~ ~~Quarter of 2028]~~****August 14, 2028** |  |

## Notice of Pre-Application Workshops

CEC staff will hold multiple Pre-Application Workshops. Workshops will be (1) in Sacramento County (2) Imperial County, (3) Lake County, and (4) a workshop limited to California Native American tribes. CEC staff will discuss the solicitation at each workshop and will answer questions about the solicitation. Participation is optional but encouraged. The first Pre-Application Workshop will be held in Sacramento with the option to attend in-person or remotely via the internet (Zoom, see instructions below), or via conference call on the date and at the time and location listed below. The Imperial County and Lake County workshops are open to all potential applicants. The California Native American tribes pre-application workshop is limited to California Native American tribes. Invitations will be sent out electronically for this workshop. If your tribe does not receive an invitation, please call (916)-839-0386 or email at Sierra.Graves@Energy.ca.gov. Please call (916) 654-4381 or refer to the CEC Solicitation website at https://www.energy.ca.gov/funding-opportunities/solicitations to confirm the dates, and times for all workshops.

**Sacramento Workshop:**

~~[February 16, 2024]~~

**March 5, 2024]**

1:00 – 3:00 p.m.

Hybrid

Remote Access via Zoom

See Attendance Instructions

and

California Energy Commission

Rosenfeld Hearing Room

1st floor

1516 Ninth Street~~[,]~~

Sacramento, CA 95814

**\*Imperial County Workshop**

**March 8, 2024**

**10:00 a.m. – 12:00 p.m.**

**In Person**

**County Administration Center**

**Board Chambers**

**940 W. Main Street Suite 211**

**El Centro, CA 92243**

**\*California Native American tribes Workshop**

**March 19, 2024**

**1:00 – 3:00 p.m.**

**Virtual Webinar**

**Remote Access via Zoom**

**(email invitations will be sent)**

**\*Lake County Workshop**

**March 22, 2024**

**2:00 p.m. – 4:00 p.m.**

**In Person**

**Lower Lake Town Hall**

**16195 Main St.**

**Lower Lake, CA 95457**

~~[\*CEC is planning to conduct a virtual workshop with California Native American Tribes. The date and time for this workshop will be announced later via email and workshop notice. CEC is also planning to conduct workshops focused on Imperial and Lake Counties. The dates and details for both workshops will be announced later via email and workshop notice(s). The workshop notices will be placed on the GFO-23-402 Geothermal Grant and Loan Program solicitation webpage at:~~ [~~https://www.energy.ca.gov/funding-opportunities/solicitations~~](https://www.energy.ca.gov/funding-opportunities/solicitations)~~.]~~

**If you expect to attend a workshop, you are encouraged to** [RSVP](https://forms.office.com/g/mi4QM99h5y) **at https://forms.office.com/g/mi4QM99h5y. RSVP is not required to attend a workshop.**

**Zoom Instructions:**

To join the Zoom meeting, go to https://zoom.us/join and enter the Meeting ID below and select “join from your browser”. Participants will then enter the meeting password listed below and their name. Participants will select the “Join” button.

**Meeting ID:** 831 8834 9791

**Meeting Password:** 169220

**Topic:** Geothermal Grant and Loan Program Pre-Application Workshop

**Telephone Access Only:**

Call **1-888 475 4499** (Toll Free) or **1-877 853 5257** (Toll Free). When prompted, enter the meeting number above. International callers may select a number from the Zoom International Dial-in Number List at: https://energy.zoom.us/u/adjzKUXvoy. To comment, dial \*9 to “raise your hand” and \*6 to mute/unmute your phone line.

**Access by Mobile Device:**

Download the application from the Zoom Download Center, https://energy.zoom.us/download.

**Technical Support:**

* For assistance with problems or questions about joining or attending the meeting,

please call Zoom Technical Support at **1-888-799-9666 ext. 2.** You may also contact the Public Advisor’s Office at publicadvisor@energy.ca.gov, or (916) 957-7910.

* [System Requirements](http://support.-zoom.us/hc/en-us/articles/201362023-System-requirements-for-Windows): To determine whether your computer is compatible, visit:

 http://support.-zoom.us/hc/en-us/articles/201362023-System-requirements-for-Windows

* If you have a disability and require assistance to participate, please Erica Rodriguez by e-mail at Erica.Rodriguez@energy.ca.gov or (916) 654-4314 at least five days in advance.

## Questions

During the solicitation process, direct questions to the Commission Agreement Officer (CAO) listed below:

Crystal Willis, Commission Agreement Officer

California Energy Commission

715 P, MS-18

Sacramento, California, 95814

Telephone: (916) 529-1108

E-mail: crystal.willis@energy.ca.gov

Applicants may ask questions at the Pre-Application Workshops and may submit written questions via email. However, all **technical** questions must be received by the deadline listed in the “Key Activities Schedule” above. Questions received after the deadline may be answered at the CEC's discretion. **Non-technical** questions (e.g., questions concerning application format requirements or attachment instructions) may be submitted to the Commission Agreement Officer at any time prior to 5:00 p.m. of the application deadline date.

The questions and answers will also be posted on the Commission’s website at: https://www.energy.ca.gov/funding-opportunities/solicitations.

If an applicant discovers a **conflict, discrepancy, omission, or other error** in the solicitation at any time prior 5:00 p.m. of the application deadline date, the applicant may notify the CEC in writing and request modification or clarification of the solicitation. The CEC, at its discretion will provide modifications or clarifications by either an addendum to the solicitation or by written notice to all entities that requested the solicitation. At its discretion, the CEC may, in addition to any other actions it may choose, re-open the question/answer period to provide all applicants the opportunity to seek any further clarification required.

**Any verbal communication with a Commission employee concerning this solicitation is not binding on the State and will in no way alter a specification, term, or condition of the solicitation. Therefore, all communication should be directed in writing to the assigned CAO.**

## Applicants’ Admonishment

This solicitation contains application requirements and instructions. Applicants are responsible for **carefully reading** the solicitation, asking appropriate questions in a timely manner, ensuring that all solicitation requirements are met, submitting all required responses in a complete manner by the required date and time, and **carefully rereading** the solicitation before submitting an application. In particular, please carefully read the **Screening/Scoring Criteria and** **Grounds for Rejection** in Part IV, and the relevant Geothermal Grant and Loan Program terms and conditions located under “RREDI Funding Information” at: <https://www.energy.ca.gov/funding-opportunities/funding-resources>

Applicants for Technical Assistance Application Phase One are responsible for the cost of developing the Technical Assistance Application. Applicants for Full Application Phase Two, excluding awardees from Technical Assistance Application Phase One are solely responsible for the cost of developing applications. This cost cannot be charged to the State. All submitted documents will become publicly available records upon the posting of the NOPA.

In addition to any other right reserved to it under this solicitation or that it otherwise has, if the CEC determines, in its sole and absolute discretion, that if an agreement is not being successfully executed with an applicant in a timely manner, the CEC may cancel a proposed award and award funds to the next highest scoring applicant.

## Background

**Geothermal Grant and Loan Program**

The CEC’s Geothermal Grant and Loan Program was created in 1980 by Assembly Bill 1905 (Bosco, Chapter 139, Statutes of 1980). The overall mission of the program is to provide funding to promote development of California's vast resources of geothermal energy and lithium from geothermal brine to support the State’s energy and climate goals. The program also aims to mitigate any adverse impacts caused by geothermal development and lithium recovery from geothermal brine, and help local jurisdictions offset the costs of providing public services necessitated by geothermal development and related activities.

During its first decade, the program provided financial and technical assistance to local jurisdictions to support geothermal direct use, planning, and mitigation projects. In 1992, the program was expanded to extend financial assistance to private entities as well as local jurisdictions for a wide variety of geothermal research, development, planning, and mitigation projects. Activities related to lithium recovery were included in the program statutory authority for the first time in 2016 (Senate Bill (SB) 1074, Hueso, Chapter 539, Statutes of 2016) since the original law specified purposes primarily relating to geothermal energy development and mitigation. In 2022, (Stats. 2022, Ch. 63, Sec. 5. (SB 125)) the program law was revised again to include the expansion of some of the existing eligible purposes to include lithium and mineral recovery activities.

Funding for the Geothermal Grant and Loan Program comes from the Geothermal Resources Development Account (GRDA) funding source. This funding comes from payments made to the State by the federal government for a portion of the royalty and lease revenues generated by geothermal development on federal lands in California.

California PRC, Section 3800 et seq., sets forth the operational parameters for the Geothermal Grant and Loan Program, including who is eligible for funding and what types of purposes can be funded. (See Section II, Eligibility Requirements, for more information on eligible applicants and project focus. A link to the statute is also provided in the Reference Documents in this section of this solicitation or Grant Funding Opportunity (GFO).

Regulations governing the Geothermal Grant and Loan Program application and project selection process were updated and amended in 2014. The amended regulations for the Geothermal Grant and Loan Program can be found in the CCR, Title 20, sections 1660 through 1665, and Appendix A. (A link to the amended regulations is also provided in the Reference Documents section of this GFO).

* **Applicable Laws, Policies, and Background Documents**

This solicitation addresses the energy goals described in the following laws, policies, and background documents.

Laws/Regulations

* **California Public Resources Code (Section 3800-3827)[[3]](#footnote-4)**

The California Legislature established the authority and provisions for the CEC's Geothermal Grant and Loan Program in 1980 as part of PRC Section 3800 et seq.

* **California Code of Regulations (Section 1660-1665)[[4]](#footnote-5)**

The CEC has also established regulations to clarify and make specific the provisions for operation of the Geothermal Grant and Loan Program. These regulations are contained in Sections 1660-1665 of Title 20 of the CCR.

* **Assembly Bill (AB) 209[[5]](#footnote-6) - Energy and Climate Change**

AB 209 created Lithium Extraction Sales and Use Tax Exclusion which authorizes the California Alternative Energy and Advanced Transportation Financing Authority (CAETFA) to provide an additional $15 million of sales and use tax exclusions in the 2022, 2023, and 2024 calendar year for projects that manufacture, refine, extract, process, or recover lithium. Allows CAETFA to consider, in addition to the required existing criteria for these projects, specific criteria relating to relocation of projects to California from states that have enacted certain legislation. AB 209 also renames the Lithium Subaccount within the Salton Sea Restoration Fund as the Salton Sea Lithium Fund and establishes the fund in the State Treasury

* **Senate Bill (SB) 100 – The 100 Percent Clean Energy Act of 2018 [[6]](#footnote-7)**

Sets a 2045 goal of powering all retail electricity sold in California and state agency electricity needs with renewable and zero-carbon resources — those such as solar and wind energy that do not emit climate-altering greenhouse gases. Updates the state’s Renewables Portfolio Standard to ensure that by 2030 at least 60 percent of California’s electricity is renewable. Requires the CEC, Public Utilities Commission and Air Resources Board to use programs under existing laws to achieve 100 percent clean electricity and issue a joint policy report on SB 100 by 2021 and every four years thereafter.

* **Assembly Bill (AB) 32[[7]](#footnote-8) - Global Warming Solutions Act of 2006**

AB 32created a comprehensive program to reduce greenhouse gas (GHG) emissions in California. GHG reduction strategies include a reduction mandate of 1990 levels by 2020 and a cap-and-trade program. AB 32 also designates the California Air Resources Board (CARB) as the state agency charged with monitoring and regulating sources of greenhouse gas (GHG) emissions and requires CARB to develop a Scoping Plan that describes the approach California will take to reduce GHGs. CARB must update the plan at least once every five years.

Additional information: https://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill\_id=200520060AB32; https://ww2.arb.ca.gov/our-work/programs/ab-32-climate-change-scoping-plan

Applicable Law: California Health and Safety Code §§ 38500 et. seq.

* **Senate Bill (SB) 32 - California Global Warming Solutions Act of 2006: emissions limit**

SB 32 expands on AB 32 by requiring that CARB ensure statewide GHG emissions are reduced to 40% below the 1990 level by no later than December 31, 2030. SB 32 further requires that these emission reductions are achieved in a manner that benefits the state’s most disadvantaged communities and is transparent and accountable to the public and the Legislature.

Additional information: https://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill\_id=201520160SB32

Applicable Law: California Health and Safety Code § 38566.

Policies/Plans

* **Integrated Energy Policy Report (Biennial)**

PRC Section 25302 requires the CEC to release a biennial report that provides an overview of major energy trends and issues facing the state. The IEPR assesses and forecasts all aspects of energy industry supply, production, transportation, delivery, distribution, demand, and pricing. The CEC uses these assessments and forecasts to develop energy policies and provide recommendations for future research and analysis areas.

Additional information: http://www.energy.ca.gov/energypolicy

Applicable Law: PRC Code § 25300 et seq.

Reference Documents

Refer to the documents below for information about activities associated with the Geothermal Grant and Loan Program.

* [Geothermal Resources Development Account (GRDA) Law and Regulations (ca.gov)](https://www.energy.ca.gov/programs-and-topics/programs/geothermal-grant-and-loan-program/geothermal-resources-development) at https://www.energy.ca.gov/programs-and-topics/programs/geothermal-grant-and-loan-program/geothermal-resources-development
* Pre-Solicitation Workshop materials at https://www.energy.ca.gov/event/funding-workshop/2023-06/geothermal-grant-and-loan-program-grda-pre-solicitation-workshop

## Match Funding

* No match funding is required for Phase One Technical Assistance Applications. For Phase Two Full Applications match funding is not required for local jurisdictions. However, match funding is required in the amount of at least 100% of the requested project funds for private entities.
* **“Match funds”** includes cash or in-kind (non-cash) contributions provided by the applicant, subcontractors, or other parties.

“Match funds” do not include CEC awards, future/contingent awards from other entities (public or private), the cost or value of the project work site, or the cost or value of structures or other improvements affixed to the project work site permanently or for an indefinite period of time (e.g., photovoltaic systems).

Definitions of “match funding” categories are listed below:

* + - **“Cash”** **match** means funds that are in the recipient’s possession or proposed by match partner and clearly identified in a support letter, and are reserved for the proposed project, meaning that they have not been committed for use or pledged as match for any other project. Cash match can include funding awards earned or received from other agencies for the proposed technologies or study (but not for the identical work). Proof that the funds exist as cash is required. Cash match will be considered more favorably than in-kind contributions during the scoring phase.
		- **“In-Kind”** **match** is typically in the form of the value of personnel, goods, and services, including direct and indirect costs. This can include equipment, facilities, and other property as long as the value of the contribution is based on documented market values or book values, prorated for its use in the project, and depreciated or amortized over the term of the project using generally accepted accounting principles (GAAP).
* **Match** funds must be spent only during the agreement term, either before or concurrently with CEC funds. Match funds also must be reported in invoices submitted to the CEC.
* All applicants providing match funds must submit commitment letters, **including subcontractors**, that: (1) identify the source(s) of the funds; (2) justify the dollar value claimed; (3) provide an unqualified (i.e., without reservation or limitation) commitment that guarantees the availability of the funds for the project; and (4) provide a strategy for replacing the funds if they are significantly reduced or lost. Please see Attachment 9, Commitment and Support Letter Form. Commitment and support letters must be submitted with the application to be considered.
* Any match pledged in Attachment 1 must be consistent with the amount or dollar value described in the commitment letter(s) (e.g., if $5,000 “cash in hand” funds are pledged in a commitment letter, Attachment 1 must match this amount). Only the total amount pledged in the commitment letter(s) will be considered for match funding points.
* Examples of preferred match share:
	+ - **“Travel”** refers to all travel required to complete the tasks identified in the Scope of Work. Travel includes in-state and out-of-state, and travel to conferences. CEC funds are limited to lodging and any form of transportation (e.g., airfare, rental car, public transit, parking, mileage). Use of match funds for out-of-state travel is encouraged, as the CEC discourages and may not approve the use of its funds for such travel. If an applicant plans to travel to conferences, including registration fees, they must use match funds.
		- **“Equipment” is** an item with a unit cost of at least $5,000 and a useful life of at least one year. **Purchasing equipment with match funding is encouraged** as there are no disposition requirements at the end of the agreement for such equipment. Typically, grant recipients may continue to use equipment purchased with CEC funds if the use is consistent with the intent of the original agreement.
		- **“Materials”** under Materials and Miscellaneous are items under the agreement that do not meet the definition of Equipment (unit cost of at least $5,000 and a useful life of at least one year). **Using match funds for purchasing items such as laptops, notebooks and/or personal tablets is encouraged, as CEC funds for these purchases is not allowed.**

# II. Applicant Eligibility Requirements

## Eligibility

This solicitation is open to (i) private entities, defined as any individual or organization engaged in the exploration and development of geothermal energy for profit, per PRC Section 3809, and (ii) local jurisdictions, defined as any unit of Indian government, any city, county, or district, including, but not limited to, a regional planning agency and a public utility district, or any combination thereof formed for the joint exercise of any power, with the exception of public utility districts which generate for sale more than 50 megawatts gross of electricity, per PRC Section 3807. **For purposes of this solicitation, a unit of Indian government is defined as A California Native American tribe or a subdivision, agency, department, county, parish, municipality, or other unit of the government thereof, and includes, but is not limited to, a tribal public utility district.**

Federal agencies, national laboratories, state universities, and state agencies are not eligible for funding; however, they may be eligible as a project partner or subcontractor. Local jurisdiction and private entities are eligible for funding as a grant recipient. They can also be a project partner and subcontractor.

All local jurisdiction applicants must submit with their application a resolution from their governing body approving submittal of the application (PRC Section 3822(b)). (See Attachment 11, Local Jurisdiction Resolution.)

To be eligible for funding, a private entity project must also meet the following conditions, as mandated by PRC Section 3822 (g): (1) provide a 100% match; (2) provide tangible benefits, as determined by the CEC, to a local jurisdiction; and (3) if awarded funding, provide documentation that receipt of the grant is approved by the city, county, or Indian reservation within which the project is to be located.

Projects in this solicitation must be located in California.

It is important to note that the program statute establishes that any local jurisdiction is eligible for funding irrespectively of whether the local jurisdiction is a County of origin. As defined in Section I B. (Key Words/Terms) of this solicitation, the “County of origin” means any county in which the United States has leased lands for geothermal development.

## Terms and Conditions

Each grant agreement resulting from this solicitation will include terms and conditions that set forth the recipient’s rights and responsibilities. ~~[By signing the Application Form (Attachment 1), each applicant agrees to enter into an agreement with the CEC to conduct the proposed project according to the terms and conditions that correspond to its organization, without negotiation: (1) University of California and California State University terms and conditions; (2) U.S. Department of Energy terms and conditions; (3) Special Terms and Conditions for California Native American tribes with Sovereign Immunity in addition to the standard terms and conditions; or (4) standard terms and conditions.]~~ **All applicants shall conduct the proposed project according to the standard terms and conditions, except the following: (1) University of California and California State University; and (2) U.S. Department of Energy. In addition, for Phase 2 Full Application awards, federally recognized California Native American tribes and other Units of Indian Government with sovereign immunity shall conduct the proposed project according to the Special Terms and Conditions for federally recognized California Native American tribes in addition to the standard terms and conditions. The Special Terms and Conditions for federally recognized California Native American tribes do not apply to Phase 1 Technical Assistance awards.**

All terms and conditions **for the Geothermal Grant and Loan Program** are located under “RREDI Funding Information” at <https://www.energy.ca.gov/funding-opportunities/funding-resources>. Please refer to the applicable terms and conditions. Failure to agree to the terms and conditions by**,** ~~[taking actions]~~ such as failing to sign the Application Form **(Attachment 1)** or indicating that acceptance is based on modification of the terms will result in **rejection** of the application. Applicants **must** **read** the terms and conditions carefully.The CEC reserves the right to modify the terms and conditionsprior to executing grant agreements.

If a **federally recognized** California Native American tribe or **other** Unit of Indian Government ~~[(Tribe)]~~ with sovereign immunity is listed as a proposed awardee in the Phase 2 Full Application NOPA, CEC staff must receive the following before bringing the proposed award to a CEC Business Meeting:

1. A resolution or other authorizing document by the governing body of the **Unit of Indian Government** ~~[Tribe]~~ authorizing the **entity** ~~[Tribe]~~ to enter into the proposed agreement, including accepting the Special Terms and Conditions for California Native American ~~[T]~~**~~t~~**ribes with Sovereign Immunity.
2. A limited waiver of sovereign immunity in the form and manner required by tribal law; and
3. A resolution or other authorizing document delegating authority to execute the agreement to an appropriate individual.

The above requirements may be provided in one or more documents. The document(s) will be included as an exhibit to the resulting grant agreement.

Delay in award. Any delay in the ~~[Tribe’s]~~ ability to provide such documentation may result in delayed award of the grant agreement.

Reservation of right to cancel proposed award. Funds available under this solicitation have encumbrance deadlines which the CEC must meet to avoid expiration of the funds. In addition to any other rights reserved to it under this solicitation or that it otherwise has, the CEC reserves the right to cancel a proposed award if it determines, in its sole and absolute discretion, that the documentation described above would likely not be provided prior to an encumbrance deadline, and that the CEC’s ability to meet its encumbrance deadline may thereby be jeopardized. In this instance, the CEC may cancel the proposed award and award funds to the next highest scoring applicant.

## California Secretary of State Registration

All corporations, limited liability companies (LLCs), limited partnerships (LPs) and limited liability partnerships (LLPs) that conduct intrastate business in California are required to be registered and in good standing with the California Secretary of State prior to its project being recommended for approval at an CEC Business Meeting. If not currently registered with the California Secretary of State, applicants are encouraged to contact the Secretary of State’s Office as soon as possible to avoid potential delays in beginning the proposed project(s) (should the application be successful). For more information, contact the [Secretary of State’s Office](http://www.sos.ca.gov) via its website at www.sos.ca.gov. Sole proprietors using a fictitious business name must be registered with the appropriate county and provide evidence of registration to the CEC prior to their project being recommended for approval at an CEC Business Meeting.

## Disadvantaged & Low-income Communities / Tribal lands

The CEC is committed to ensuring all Californians have an opportunity to participate in and benefit from programs and services. While it is not required to complete the project within a disadvantaged community and/or on tribal lands, projects located and benefiting disadvantaged and/or low-income communities and/or on tribal lands will be considered under the scoring criteria for this GFO.

Low-income communities and households are defined as the census tracts and households, respectively, that are either at or below 80 percent of the statewide median income, or at or below the threshold designated as low-income by the California Department of Housing and Community Development (HCD). Visit the [California Department of Housing & Community Development](http://www.hcd.ca.gov/grants-funding/income-limits/index.shtml) site for the current HCD State Income Limits: http://www.hcd.ca.gov/grants-funding/income-limits/index.shtml. Disadvantaged communities are defined as areas representing census tracts scoring in the top 25% in CalEnviroScreen. For more information on disadvantaged communities and to determine if your project is in a disadvantaged community, use the [California Communities Environmental Health Screening tool](https://oehha.ca.gov/calenviroscreen/report/calenviroscreen-40) (CalEnviroScreen): <https://oehha.ca.gov/calenviroscreen/report/calenviroscreen-40>.

Tribal lands for the purposes of this solicitation includes:

* Land which is located within the boundaries of an Indian reservation, pueblo, or rancheria.
* Land not located within the boundaries of an Indian reservation, pueblo or rancheria, the title to which is held:
	+ in trust by the United States for the benefit of an Indian tribe or an individual Indian
	+ by an Indian tribe or an individual Indian, subject to restriction against alienation under laws of the United States
	+ by a dependent Indian community
* Land held under a long-term land lease (as a minimum, for the useful life of the proposed project) by an Indian tribe.
* Lands held in fee simple (purchased or owned) by an Indian tribe.

## Executive Order N-6-22 - Russia Sanctions

On March 4, 2022, Governor Gavin Newsom issued Executive Order N-6-22 (the EO) regarding Economic Sanctions against Russia and Russian entities and individuals. “Economic Sanctions” refers to sanctions imposed by the U.S. government in response to Russia’s actions in Ukraine, as well as any sanctions imposed under state law. By submitting a bid or proposal, Applicant represents that it is not a target of Economic Sanctions. Should the State determine Applicant is a target of Economic Sanctions or is conducting prohibited transactions with sanctioned individuals or entities, that shall be grounds for rejection of the Applicant’s bid/proposal any time prior to agreement execution, or, if determined after agreement execution, shall be grounds for termination by the State.

# III. Application Organization and Submission Instructions

## Application Format, Page Limits, and Number of Copies

The CEC may have waived the requirement for a signature on application materials for this solicitation. If a [notice regarding CEC’s waiver of the signature requirement](https://www.energy.ca.gov/funding-opportunities/solicitations) appears here: https://www.energy.ca.gov/funding-opportunities/solicitations, the waiver applies to this solicitation. In the event of a conflict between the notice and any language in this solicitation regarding signatures, the notice will govern.

The following tables summarize the formatting and page limit recommendations.

**Technical Assistance Application – Phase One:**

|  |  |
| --- | --- |
| **Format** | * **Font:** 11-point, Arial (excluding Excel spreadsheets, original template headers and footers, and commitment or support letters)
* **Margins:** No less than one inch on all sides (excluding headers and footers)
* **Spacing:** Single spaced, with a blank line between each paragraph
* **Signatures**: Electronic or wet signatures
* **File Format**: MS Word version 2007 or later (.doc or .docx format), and PDF files are acceptable.
 |
| **Page Limit Recommendations** | * **Maximum Page Limit Recommendations**
	+ **Technical Assistance Project Summary** (Attachment 2A): **three** pages
* There are no page limits for the following:
	+ **Technical Assistance Application Form** (Attachment 1A)
	+ **Technical Assistance Scope of Work** (Attachment 3A)
 |

**Full Application – Phase Two**:

|  |  |
| --- | --- |
| **Format** | * **Font:** 11-point, Arial (excluding Excel spreadsheets, original template headers and footers, and commitment or support letters)
* **Margins:** No less than one inch on all sides (excluding headers and footers)
* **Spacing:** Single spaced, with a blank line between each paragraph
* **Signatures**: Electronic or wet signatures only (i.e., not electronic)
* **File Format:** MS Word version 2007 or later (.doc or .docx format), PDF files are acceptable, excluding Excel spreadsheets
 |
| **Page Limit Recommendations** | * **Maximum Page Limit Recommendations**
	+ **Executive Summary Form** (Attachment 2): **two** pages
	+ **Project Narrative Form** (Attachment 3): **twenty** pages excluding documentation for CEQA.
	+ **Project Team Form** (Attachment 4): **two** pages for each resume
	+ **Scope of Work** (Attachment 5): **thirty** pages
	+ **Project Schedule** (Attachment 6): **four** pages
	+ **Commitment and Support Letter Form** (Attachment 9): **two** pages, excluding the cover page
	+ **Applicant Declaration** (Attachment 10): **one** page
	+ **Local Jurisdiction Resolution** (Attachment 11): **one** page
	+ **Feasibility Study** (Attachment 12): **twenty** pages
* There are no page limits for the following:
	+ **Application Form** (Attachment 1)
	+ **Budget Forms** (Attachment 7)
	+ **CEQA/Environmental Compliance Form** (Attachment 8)
	+ **Contacts** (Attachment 13)
 |

## Method For Delivery

The only method of submitting applications to this solicitation is the [CEC Grant Solicitation System (GSS)](https://gss.energy.ca.gov/)., available at: https://gss.energy.ca.gov/. This online tool allows applicants to submit their electronic documents to the CEC prior to the date and time specified in this solicitation. Electronic files must be in Microsoft Word XP (.doc format) or newer and Excel Office Suite formats unless originally provided in the solicitation in another format. Attachments requiring signatures may be scanned and submitted in PDF format. Completed Budget Forms, (Attachment), must be in Excel format.

The deadline to submit grant applications through the CEC’s GSS is 11:59 p.m. The GSS system automatically closes at 11:59 pm. If the full submittal process has not been completed before 11:59 p.m., your application will not be considered. **NO EXCEPTIONS** will be entertained.

The CEC strongly encourages Applicants to upload and submit all applications by 5:00 p.m. because CEC staff will not be available after 5:00 p.m. or on weekends to assist with the upload process. And please note that while we endeavor to assist all would-be applicants, we can’t guarantee staff will be available for in-person consultation on the due date, so please plan accordingly.

Please give yourself ample time to complete all steps of the submission process: do not wait until right before the deadline to begin the process. Due to factors outside the CEC’s control and unrelated to the GSS system, upload times may be much longer than expected. For example, some past applicants experienced unexpected issues on their end, causing long delays that prevented timely submission. They spent significant time and resources on applications the CEC will not consider. Please plan accordingly. For instructions on how to apply using the GSS system, please see the [How to Apply document](https://www.energy.ca.gov/media/1654) available on the CEC website at: https://www.energy.ca.gov/media/1654.

First time users must register as a new user to access the system. Applicants will receive a confirmation email after all required documents have been successfully uploaded. A tutorial of the system will be provided at the pre-application workshop, and you may contact the CAO identified in the Questions section of the solicitation for more assistance.

## Technical Assistance Application Phase One - Content

Below is a general description of each required section of the Technical Assistance Application. Completeness of the information requested in each attachment will be factored into Technical Assistance Application scoring.

* 1. **Technical Assistance Application Form (Attachment 1A)**

This form requests basic information about the applicant and the project. Please reference each individual attachment for a detailed description of the information requested by that attachment. The application must include an original Technical Assistance Application Form that includes all requested information. The Technical Assistance Application Form must be signed by an authorized representative of the applicant’s organization.

The CEC may have waived the requirement for a signature on application materials for this solicitation. If a notice regarding CEC’s waiver of the signature requirement appears here: https://www.energy.ca.gov/funding-opportunities/solicitations, the waiver applies to this solicitation. In the event of a conflict between the notice and any language in this solicitation regarding signatures, the notice will govern.

* 1. **Technical Assistance Project Summary (Attachment 2A)**

The Technical Assistance Project Summary will describe the proposed project and include the majority of the applicant’s responses to the Technical Assistance Application Scoring Criteria in Section IV.F.

* 1. **Technical Assistance Scope of Work (Attachment 3A)**

The Technical Assistance Scope of Work will describe the work to be conducted with the technical assistance funds. A budget table is included in this document and all funds provided under Phase One must go to the technical assistance contractor for the purpose of supporting the applicant (i.e., a local jurisdiction) in developing and preparing a full proposal for Phase Two.

## Full Application Phase Two - Content

Below is a general description of each required section of the application. Completeness in submitting all the information requested in each attachment will be factored into application scoring.

1. Application Form (Attachment 1)

This form requests basic information about the applicant and the project. Please reference each individual attachment for a detailed description of the information requested by that attachment. The application must include an original Application Form that includes all requested information. The Application Form must be signed by an authorized representative of the applicant’s organization.

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1. Executive Summary Form (Attachment 2)

The Executive Summary includes: a project description; the project goals and objectives to be achieved; an explanation of how the goals and objectives will be achieved, quantified, and measured; and a description of the project tasks and overall management of the agreement.

1. Project Narrative Form (Attachment 3)

Each application must include a Project Narrative that provides a detailed description of the proposed project and project activities; identifies the entity or entities that will own, operate, and conduct the proposed project; and addresses all of the applicable bulleted items described in the Project Narrative Form (Attachment 3) and Section IV below. The required information shall be provided in sufficient detail to allow reviewers to evaluate the application against each of the scoring criteria identified in Section IV. The Project Narrative should be no more than 20 pages (excluding documentation for CEQA).

1. Project Team Form (Attachment 4)

Identify by name all key personnel assigned to the project, including the project manager and principal investigator (if applicable), and individuals employed by any major subcontractor (a major subcontractor is a subcontractor receiving at least 25% of CEC funds or $100,000, whichever is less). Clearly describe their individual areas of responsibility. Include the information required for each individual, including a resume (maximum two pages, printed double-sided).

1. Scope of Work Template (Attachment 5)

Applicants must include a completed Scope of Work for each project, as instructed in the template. The Scope of Work identifies the tasks required to complete the project. See requirements in Section I.C. Electronicfiles for the Scope of Work must be in **MS Word** file format**.**

1. Project Schedule (Attachment 6)

The Project Schedule includes a list of all products, meetings, and due dates. All work must be scheduled for completion by the “Key Dates” section of this solicitation manual.

Electronic files for the Project schedule must be in MS Excel file format.

1. Budget Forms (Attachment 7)

The budget forms are in MS Excel format. Detailed instructions for completing them are included at the beginning of Attachment 7. **Read the instructions before completing the worksheets**. Complete and submit information on **all** budget worksheets. The salaries, rates, and other costs entered on the worksheets will become a part of the final agreement.

1. All project expenditures (match share and reimbursable) must be made within the approved agreement term. Match share requirements are discussed in Part I of this solicitation. The entire term of the agreement and projected rate increases must be considered when preparing the budget.
2. The budget must reflect estimates for **actual** costs to be incurred during the agreement term. The CEC may only approve and reimburse for actual costs that are properly documented in accordance with the grant terms and conditions. Rates and personnel shown must reflect the rates and personnel the applicant would include if selected as a Recipient.
3. The proposed rates are considered capped and may not change during the agreement term. The Recipient will only be reimbursed for **actual** rates up to the rate caps.
4. The budget must NOT include any Recipient profit from the proposed project, either as a reimbursed item, match share, or as part of overhead or general and administrative expenses (subcontractor profit is allowable, though the maximum percentage allowed is 10 % of the total subcontractor rates for labor, and other direct and indirect costs as indicated in the Category Budget form). Please review the terms and conditions and budget forms for additional restrictions and requirements.
5. The budget must allow for the expenses of all meetings and products described in the Scope of Work. Meetings may be conducted at the CEC or by conference call, as determined by the CAM.
6. Applicants must budget for permits and insurance. Permitting costs may be accounted for in match share. Permit costs and the expenses associated with obtaining permits are not reimbursable under this Agreement with CEC funds, with the exception of costs incurred by University of California recipients.
7. The budget must NOT identify that CEC funds will be spent outside of the United States or for out-of-country travel. However, match funds may cover these costs if there are no legal restrictions.
8. **Prevailing wage requirement:** Projects that receive an award of public funds from the CEC often involve construction, alteration, demolition, installation, repair, or maintenance work over $1,000. For this reason, projects that receive an award of public funds from the CEC are likely to be considered public works under the California Labor Code. See Chapter 1 of Part 7 of Division 2 of the California Labor Code, commencing with Section 1720 and Title 8, CCR, Chapter 8, Subchapter 3, commencing with Section 16000.

Projects deemed to be public works require among other things the payment of prevailing wages, which can be significantly higher than non-prevailing wages.

By accepting this grant, Recipient as a material term of this agreement shall be fully responsible for complying with all California public works requirements including but not limited to payment of prevailing wage. Therefore, as a material term of this grant, Recipient must either:

1. Proceed on the assumption that the project is a public work and ensure that:
2. prevailing wages are paid; and
3. the project budget for labor reflects these prevailing wage requirements; and
4. the project complies with all other requirements of prevailing wage law including but not limited to keeping accurate payroll records and complying with all working hour requirements and apprenticeship obligations.

or,

1. Timely obtain a legally binding determination from the Department of Industrial Relations or a court of competent jurisdiction before work begins on the project that the proposed project is not a public work.
2. California Environmental Quality Act (CEQA)/Environmental Compliance Form (Attachment 8)

The CEC requires the information on this form to facilitate its evaluation of proposed activities under CEQA (PRC Section 21000 et. seq.), a law that requires state and local agencies in California to assess the potential environmental impacts of their proposed actions. The form will also help applicants to determine CEQA compliance obligations by identifying which proposed activities may be exempt from CEQA and which activities may require additional environmental review. If proposed activities are exempt from CEQA (such as paper studies), the worksheet will help to identify and document this. This form must be completed regardless of whether the proposed activities are considered a “project” under CEQA.

Failure to complete the CEQA process in a timely manner after the CEC’s NOPA may result in the cancellation of a proposed award and allocation of funding elsewhere, such as to the next highest-scoring project.

1. Commitment and Support Letter Form (Attachment 9)

A commitment letter commits an entity or individual to providing the service or funding described in the letter. A support letter details an entity or individual’s support for the project. Commitment and Support Letters must be submitted with the application. Letters that are not submitted by the application deadline will not be reviewed and counted towards meeting the requirement specified in the solicitation.

1. Commitment Letters

Applicants must submit a **match funding** commitment letter signedby **a** representative of each entity or individual that is committing to providing match funding. The letter should: (1) identify the source(s) of the funds; and (2) guarantee the availability of the funds for the project.

* **Project partners** that are making contributions other than match funding, and are not receiving CEC funds, must submit a commitment letter signed by an authorized representative that: (1) identifies how the partner will contribute to the project; and (2) commits to making the contribution.
1. Support Letters

All applicants must include at least one support letter from a project stakeholder (i.e., an entity or individual that will benefit from or be involved in the project) that: (1) describes the stakeholder’s interest or involvement in the project; (2) indicates the extent to which the project has the support of the relevant industry and/or organizations; and (3) describes any support it intends (but does not necessarily commit) to provide for the project, .

Pursuant to CCR Section 1665 (a) (8), private entity applicants must explain how, if awarded a grant, it will obtain approval for the grant from a representative of the city, county, or Indian reservation where the project is to be located, in accordance with PRC Section 3822(g)(3).

The CEC may have waived the requirement for a signature on application materials for this solicitation. If a notice regarding CEC’s waiver of the signature requirement appears here: https://www.energy.ca.gov/funding-opportunities/solicitations, the waiver applies to this solicitation. In the event of a conflict between the notice and any language in this solicitation regarding signatures, the notice will govern.

1. Applicant Declaration (Attachment 10)

This form requests the applicant that is not a California Native American Tribe to declare that they: are not delinquent on taxes nor suspended by the California Franchise Tax Board; have not filed for bankruptcy and are not currently filing for bankruptcy; are registered to do business in California and their registration with the State of California is in good standing; are not being sued by any public agency or entity; are in compliance with the terms of all settlement agreements, if any, entered into with the CEC or another public agency or entity; are in compliance with all judgments, if any, issued against the Applicant in any matter to which the CEC or another public agency or entity is a party; are complying with any demand letter made on the Applicant by the CEC or another public agency or entity; and are not in active litigation with the CEC regarding the Applicant’s actions under a current or past contract, grant, or loan with the CEC. ~~[If the applicant is a Federally recognized or non-Federally recognized]~~ California Native American ~~[T]~~**t**ribe, ~~[the a]~~**A**pplicant**s who are a California Native American tribe or Unit of Indian Government** will be expected to make some, but not all, of the above mentioned declarations, as described in Attachment 10. The declaration must be signed under penalty of perjury by an authorized representative of the applicant’s organization.

The CEC may have waived the requirement for a signature on application materials for this solicitation. If a notice regarding CEC’s waiver of the signature requirement appears here: <https://www.energy.ca.gov/funding-opportunities/solicitations>, the waiver applies to this solicitation. In the event of a conflict between the notice and any language in this solicitation regarding signatures, the notice will govern.

1. Local Jurisdiction Resolution (Attachment 11)

All applications from local jurisdictions require a resolution from the local jurisdiction’s governing body, authorizing submittal of the application, and designating an authorized representative to execute an agreement with the CEC.

1. Feasibility Study (Attachment 12)

Pursuant to CCR Section 1665 (a)(10), resource development projects (i.e., eligible purposes A, I, and L, as specified in Section 1.C. of this solicitation) that will directly result in revenue or energy savings, shall include a feasibility study with the following information:

* + - 1. A summary of conclusions.
			2. A description of the geothermal project.
			3. A discussion of the quality and availability of the geothermal resource, based on, but not limited to, technical evaluations such as water samplings, temperature and other logs, geophysical surveys, or flow tests.
			4. A schematic drawing including, but not limited to, well locations, distribution piping, structures, equipment, and controls.
			5. A table including, but not limited to a description of any new equipment, itemized capital costs in current dollars, annual operating costs for the new geothermal system, and annual energy savings in current dollars and energy units; and a cash flow analysis table including, but not limited to, year-by-year estimates in current dollars of the energy cost of any existing nongeothermal systems, the energy cost associated with the proposed geothermal system, operation and maintenance costs associated with the proposed geothermal system, net energy savings, debt service, and net cash flow.
1. Contacts (Attachment 13)

Individuals who are the authorized representatives for the State and the Applicant under this Agreement. Any official notices issued under the terms of this Agreement shall be addressed to the authorized official identified, unless otherwise identified in the Agreement.

# IV. Evaluation and Award Process

## Application Evaluation

Applications will be evaluated and scored based on responses to the information requested in this solicitation and on any other information available, such as on past performance of CEC agreements. To evaluate applications, the CEC will organize an Evaluation Committee that consists primarily of CEC staff. The Evaluation Committee may use technical expert reviewers to provide an analysis of applications. Applications will be evaluated as follows:

1. **Technical Assistance Application – Phase One**
2. **Technical Assistance Screening**

The Contracts, Grants, and Loans Office and/or the Evaluation Committee will screen Technical Assistance Application for compliance with the Screening Criteria in **Section E** of this Part. **Technical Assistance Application that fails any of the screening criteria will be rejected.** The Evaluation Committee may conduct optional **Clarification Interviews** with applicants during the screening process to clarify and/or verify information submitted in the Technical Assistance Application. However, these interviews may not be used to change or add to the content of the original Technical Assistance Application. Applicants will not be reimbursed for time spent answering clarifying questions.

1. **Technical Assistance Application Scoring**

Technical Assistance Application that pass the Technical Assistance Application Screening stage will be submitted to the Evaluation Committee for review and scoring based on the Scoring Criteria in **Section F** of this Part.

* The scores for each application will be the average of the combined scores of all Evaluation Committee members.
* Clarification Interviews: The Evaluation Committee may conduct optional telephone or e-mail interviews with applicants during the evaluation process to clarify and/or verify information submitted in the Technical Assistance Application. However, these interviews may not be used to change or add to the content of the original Technical Assistance Application. Applicants will not be reimbursed for time spent answering clarifying questions.
* **A minimum score of** **70 percent** is required for **each** scoring criterion to be eligible for technical assistance funds.
1. **Full Application – Phase Two**
	1. **Full Application Screening**

The Contracts, Grants, and Loans Office and/or the Evaluation Committee will screen applications for compliance with the Screening Criteria in **Section G** of this Part. **Applications that fail any of the screening criteria will be rejected.**The Evaluation Committee may conduct optional telephone **Clarification Interviews** with applicants during the screening process to clarify and/or verify information submitted in the application. However, these interviews may not be used to change or add to the content of the original application. Applicants will not be reimbursed for time spent answering clarifying questions.

* 1. **Full Application Scoring**

Applications that pass the Full Application Screening stage will be submitted to the Evaluation Committee for review and scoring based on the Scoring Criteria in **Section H** of this Part.

* The scores for each application will be the average of the combined scores of all Evaluation Committee members.
* Clarification Interviews: The Evaluation Committee may conduct optional telephone or e-mail interviews with applicants during the evaluation process to clarify and/or verify information submitted in the application. However, these interviews may not be used to change or add to the content of the original application. Applicants will not be reimbursed for time spent answering clarifying questions.
* **A minimum score of 70.0 ~~[points]~~ percent** is required for **each scoring criterion, excluding the match funds criterion, for** the application to be eligible for funding.

## Ranking, Notice of Proposed Award, and Agreement Development

1. **Notice of Technical Assistance Application Results**

The results of the Technical Assistance Application review will be provided to all Applicants in the Notice of Technical Assistance Application Results **(NOTAR)**. **The results of the Full Application review will be provided to all Applicants in the Notice of Proposed Awards (NOPA).** The CEC will publish the NOTAR **and NOPA** on the CEC’s website **and will send the NOTAR and NOPA** ~~[of]~~ **to** all parties that submitted a Technical Assistance Application **or Full Application**.

Technical Assistance Application submitted materials and results **and Full Application submitted materials** are publicly available after publication of the NOPA (discussed further below in Section IV.B.2), but otherwise the application evaluation process from receipt of applications to posting of the NOPA is confidential. All submitted Technical Assistance Application documents **and Full Application documents** will become publicly available records after the NOPA is posted or if the solicitation is cancelled.

1. **Ranking and Notice of Proposed Award**

Applications that receive at least the minimum required score for all criteria will be ranked according to their score.

* CEC staff will post a **NOTAR and** NOPA that **each** include~~[s]~~: (1) the total proposed funding amount; (2) the rank order of applicants; and (3) the amount of each proposed award. The CEC will post the NOPA on its website to all entities that submitted an application. Proposed awards must be approved by the CEC at a business meeting.
* **Debriefings:** Unsuccessful applicants may request a debriefing after the release of the

NOPA by contacting the CAO listed in Part I. A request for debriefing must be received **no later than 30 calendar days** after the NOPA is released.

* In addition to any of its other rights, the CEC reserves the right to:
	+ Allocate any additional funds to passing applications, in rank order; and
	+ Negotiate with successful applicantstomodify the project scope, schedule, project team entity that will receive the award, location and/or level of funding.
1. **Agreements**

Applications recommended for funding will be developed into a proposed grant agreement to be considered at a CEC Business Meeting. Recipients may begin the project only after full execution of the grant agreement (i.e., approval at a CEC business meeting and signature by the Recipient and the CEC).

* **Agreement Development:** The Contracts, Grants, and Loans Office will send the Recipient a grant agreement for approval and signature. The agreement will include the applicable terms and conditions and will incorporate this solicitation and the application by reference. The CEC reserves the right to modify the award documents (including the terms and conditions) prior to executing any agreement.
* **Failure to Execute an Agreement:** If the CEC is unable to successfully execute an agreement with an applicant in a timely manner, it reserves the right to cancel the pending award and use the funds elsewhere, such as to fund the next highest-ranked, eligible application.

## Grounds to Reject an Application or Cancel an Award

Applications that do not pass the screening stage will be rejected. In addition, the CEC reserves the right to reject an application and/or to cancel an award for any reason, including any of the following:

* The application contains false or intentionally misleading statements or references that do not support an attribute or condition contended by the applicant.
* The application is intended to erroneously and fallaciously mislead the State in any way.
* The application does not comply or contains caveats that conflict with the solicitation, and the variation or deviation is material.
* The applicant has previously received funding through a Geothermal Grant and Loan Program, EPIC, or Gas R&D (formerly Public Interest Energy Research (PIER)) agreement, has received the royalty review letter (which the CEC annually sends out to remind past recipients of their obligations to pay royalties), and has not responded to the letter or is otherwise not in compliance with repaying royalties.
* The applicant has received unsatisfactory agreement evaluations from the CEC or another California state agency.
* The applicant is a business entity required to be registered with the California Secretary of State and is not in good standing.
* The applicant has not demonstrated that it has the financial capability to complete the project.
* The applicant fails to meet CEQA compliance within sufficient time for the CEC to meet its encumbrance deadline or any other deadlines, as the CEC in its sole and absolute discretion may determine.
* The applicant has included a statement or otherwise indicated that it will not accept the terms and conditions, or that acceptance is based on modifications to the terms and conditions.
* The application contains confidential information or identifies any portion of the application as confidential.

## Miscellaneous

1. **Solicitation Cancellation and Amendment**

It is the policy of the CEC not to solicit applications unless there is a bona fide intention to award an agreement. However, if it is in the State’s best interest, the CEC reserves the right, in addition to any other rights it has, to do any of the following:

* Cancel this solicitation.
* Revise the amount of funds available under this solicitation.
* Amend this solicitation as needed; and/or
* Reject any or all applications received in response to this solicitation.

If the solicitation is amended, the CEC will send an addendum to all entities that requested the solicitation, and will also post it on the [CEC’s Solicitations](https://www.energy.ca.gov/funding-opportunities/solicitations) website at: www.energy.ca.gov/contracts. Except for reimbursement under a Phase One Technical Assistance grant, the CEC will not reimburse applicants for application development expenses under any circumstances, including cancellation of the solicitation.

1. **Modification or Withdrawal of Application**

Applicants may withdraw or modify a submitted application before the deadline to submit applications by sending a letter to the CAO listed in Part I. Applications cannot be changed after that date and time. An application cannot be “timed” to expire on a specific date. For example, a statement such as the following is non-responsive to the solicitation: “This application and the cost estimate are valid for 60 days.”

1. **Confidentiality**

Though the entire evaluation process from receipt of applications up to the posting of the NOPA is confidential, **all submitted documents will become publicly available records** after the CEC posts the NOPA or the solicitation is cancelled. **The CEC will not accept or retain applications that identify any portion as confidential.**

1. **Solicitation Errors**

If an applicant discovers any ambiguity, conflict, discrepancy, omission, or other error in the solicitation, the applicant should immediately notify the CEC of the error in writing and request modification or clarification of the solicitation. The CEC will provide modifications or clarifications by written notice to all entities that requested the solicitation. The CEC will not be responsible for failure to correct errors.

1. **Immaterial Defect**

The CEC may waive any immaterial defect or deviation contained in an application. The CEC’s waiver will not modify the application or excuse the successful applicant from full compliance with solicitation requirements.

1. **Disposition of Applicant’s Documents**

Upon the posting of the NOPA, all applications and related materials submitted in response to this solicitation will become property of the State and publicly available records. Unsuccessful applicants who seek the return of any materials must make this request to the CAO listed in Part I and provide sufficient postage to fund the cost of returning the materials.

1. **Tiebreakers**

If the score for two or more applications are tied, the application with a higher score in the Demonstrated Need or Value (Full Application Phase Two - Scoring Criterion #1) and Proven Extent of the Resource (Full Application Phase Two- Scoring Criterion #2) criteria will be ranked higher. If still tied, an objective tiebreaker (such as a random drawing) will be utilized.

1. **Clarification Interviews**

The Evaluation Committee may conduct optional Clarification Interviews with applicants to clarify and/or verify information submitted in the application. However, these interviews may not be used to change or add to the content of the original application. Applicants will not be reimbursed for time spent answering clarifying questions.

1. **Opportunity to Cure Administrative Errors**

The CEC understands and appreciates the significant time and expense applicants spend preparing applications. An administrative error that prevents an applicant from submitting a complete application frustrates both the CEC and applicants. The purpose of this process is to reduce the number of applications screened out or receiving a significantly reduced score for administrative errors while maintaining a fair competition. This process also ensures better competition and thus better projects to benefit California.

After the application deadline, an applicant might identify, or the Evaluation Committee may find what reasonably appears to be, an administrative error. For purposes of this solicitation only, an administrative error is defined as an applicant’s inadvertent mistake that prevents materials in existence as of the application deadline from appearing in its submitted application. Examples include, but are not limited to, accidentally:

* Scanning and submitting every other page in a document instead of every page.
* Submitting the wrong document.
* Leaving out a document.

If the Evaluation Committee find what reasonably appears to be an administrative error, they can communicate with the applicant to confirm. If an applicant finds an administrative error in its application, it should immediately contact the CAO listed in the “Questions” section of this solicitation.

If an administrative error has been identified and communicated to the CAO, the CEC may, but is not required to, allow the applicant a period of time to provide the missing materials. Reasons why the CEC might NOT allow an applicant to fix an administrative error include, but are not limited to:

* The funds have a deadline that does not allow time to fix the error.
* The application has been screened out or does not receive a passing score for reasons unrelated to the administrative error, making irrelevant any efforts to fix the error.
* The applicant brings the error to the CEC’s attention too late in the solicitation process (e.g., after awards have been approved at a Business Meeting).

If the Evaluation Committee allows an applicant the opportunity to fix an administrative error, the CAO will communicate in writing to the applicant’s project manager listed the deadline by which the applicant must provide the missing materials. Reasonable efforts will be made to confirm receipt of the notice, but actual notice cannot be guaranteed, and the obligation is on the applicant to ensure the proper contact(s) are listed and available to respond. The Evaluation Committee will not consider any materials submitted after the deadline.

This process only allows applicants to submit materials in existence as of the application deadline. This process does NOT allow applicants to submit material created or modified after the application deadline. The CEC has sole discretion to determine whether materials submitted are eligible for consideration by the Evaluation Committee under this opportunity to cure.

Applicants must include the following certification along with the materials it submits to fix an administrative error and must explain why the materials were not provided due to an inadvertent administrative error:

“I certify on behalf of the applicant that the materials provided herein existed at the time of the application deadline, have not been modified since, and were not originally provided due to an inadvertent administrative error as described herein.”

The Evaluation Committee is not responsible for finding, or communicating with the applicant about, any errors in an application. Applicants remain solely responsible for submitting applications, including any material submitted to fix an administrative error, that meet all solicitation requirements.

## Technical Assistance Application Phase One - Screening

| **Technical Assistance Application Screening Criteria** *The Application must pass ALL criteria to progress to Technical Assistance Application scoring.* | **Pass/Fail** |
| --- | --- |
| 1. The Technical Assistance Application package (i.e., Technical Assistance Application Form (Attachment 1A), Technical Assistance Project Summary (Attachment 2A), and Technical Assistance Scope of Work (Attachment 3A) is received by the CEC’s Contracts, Grants, and Loans Office by the due date and time specified in the “Key Activities Schedule” in Part I of this solicitation and is received in the required manner (e.g., no emails or faxes).
 | [ ]  Pass [ ]  Fail |
| 1. The applicant is a local jurisdiction (Section II, A. Eligibility Applicants).
 | [ ]  Pass [ ]  Fail |

The CEC may have waived the requirement for a signature on application materials for this solicitation. If a [notice regarding CEC’s waiver](https://www.energy.ca.gov/funding-opportunities/solicitations) of the signature requirement appears here: https://www.energy.ca.gov/funding-opportunities/solicitations, the waiver applies to this solicitation. In the event of a conflict between the notice and any language in this solicitation regarding signatures, the notice will govern.

**Additional Screening Criteria for Past Performance**

| **Screening Criteria** |  |
| --- | --- |
| **Applicant Past Performance with CEC**The applicant—defined as at least one of the following: the business, principal investigator, or lead individual acting on behalf of themselves—received funds from the CEC (e.g., contract, grant, or loan) and entered into an agreement(s) with the CEC and demonstrated **severe performance issues** characterized by significant negative outcomes including:* Significant deviation from agreement requirements.
* Termination with cause.
* Demonstrated poor communication, project management, and/or inability, due to circumstances within its control, from materially completing the project.
* Quality issues with deliverables including poorly written final report that prevents publishing.
* Severe unresolved negative audit findings.
 |  |
| **Must pass to continue with Scoring Criteria** | **Pass/Fail** |

## Technical Assistance Application Phase One – Scoring

Proposals that pass the Technical Assistance Application Phase One - Screening phase and are not rejected as described in Section IV.C. will be evaluated based on the Scoring Criteria on the next page, and the Scoring Scale below. Each criterion has an assigned number of possible points and is divided into multiple sub-criteria. The sub-criteria are not equally weighted. The Technical Assistance Application Project Summary (Attachment 2A) must respond to each sub-criterion, unless otherwise indicated.

The total score for each Technical Assistance Application will be the average of the combined score of all Evaluation Committee members. Only Technical Assistance Application with a score of 70 percent or higher in each Technical Assistance Application Evaluation Criterion will be eligible to receive a technical assistance award.

**Scoring Scale**

|  |  |  |
| --- | --- | --- |
| **% of Possible Points** | **Interpretation** | **Explanation for Percentage Points**  |
| 0% | Not Responsive | Response does not include or fails to address the requirements being scored. The omission(s), flaw(s), or defect(s) are significant and unacceptable. |
| 10-30% | Minimally Responsive | Response minimally addresses the requirements being scored. The omission(s), flaw(s), or defect(s) are significant and unacceptable. |
| 40-60% | Inadequate | Response addresses the requirements being scored, but there are one or more omissions, flaws, or defects or the requirements are addressed in such a limited way that it results in a low degree of confidence in the proposed solution. |
| 70% | Adequate | Response adequately addresses the requirements being scored. Any omission(s), flaw(s), or defect(s) are inconsequential and acceptable. |
| 75% | Between Adequate and Good | Response better than adequately addresses the requirements being scored. Any omission(s), flaw(s), or defect(s) are inconsequential and acceptable. |
| 80% | Good | Response fully addresses the requirements being scored with a good degree of confidence in the applicant’s response or proposed solution. No identified omission(s), flaw(s), or defect(s). Any identified weaknesses are minimal, inconsequential, and acceptable. |
| 85% | Between Good and Excellent | Response fully addresses the requirements being scored with a better than good degree of confidence in the applicant’s response or proposed solution. No identified omission(s), flaw(s), or defect(s). Any identified weaknesses are minimal, inconsequential, and acceptable. |
| 90% | Excellent | Response fully addresses the requirements being scored with a high degree of confidence in the applicant’s response or proposed solution. Applicant offers one or more enhancing features, methods or approaches exceeding basic expectations. |
| 95% | Between Excellent and Exceptional | Response fully addresses the requirements being scored with a better than excellent degree of confidence in the applicant’s response or proposed solution. Applicant offers one or more enhancing features, methods or approaches exceeding basic expectations. |
| 100% | Exceptional | All requirements are addressed with the highest degree of confidence in the applicant’s response or proposed solution. The response exceeds the requirements in providing multiple enhancing features, a creative approach, or an exceptional solution. |

**Scoring CRITERIA**

**The Technical Assistance Project Summary (Attachment 2A)** must respond to each criterion below. The responses must directly relate to the solicitation requirements and focus as stated in the solicitation.

| **Technical Assistance Project Summary Evaluation Criteria** | **Maximum Possible Points** |
| --- | --- |
| **The availability of energy resource and technology opportunities.**1. Clearly identify and provide detailed objectives of the project and justification for the need and/or value of the project as a whole.
2. Clearly identify and provide detailed information on the proposed eligible project listed in Section 1 C of this solicitation manual.
 | 50 |
| **The project definition and likelihood of success.**1. Describe possible project barriers and how any necessary contingencies, improvements or corrections could be identified and implemented during the course of the project.
 | 30 |
| **Local needs and potential project benefits.**1. Identify who will receive any economic and/or employment benefit(s) from the proposed project and the expected timeline for realizing those benefits.
2. Address and discuss the level of interest in and/or commitment to the project from any interested parties or the general public.
 | 20 |
| **Total Possible Points** | **100** |

## Full Application Phase Two – Screening

| **Screening Criteria** *The Application must pass ALL criteria to progress to application scoring.* | **Pass/Fail** |
| --- | --- |
| 1. The application is received by the CEC’s Contracts, Grants, and Loans Office by the due date and time specified in the “Key Activities Schedule” in Part I of this solicitation and is received in the required manner (e.g., no emails or faxes).
 | [ ]  Pass [ ]  Fail |
| 1. The requested funding falls within the minimum and maximum range specified in Part I of this solicitation.
 | [ ]  Pass [ ]  Fail |
| 1. The application does not contain any confidential information or identify any portion of the application as confidential.
 | [ ]  Pass [ ]  Fail |
| 1. The applicant has not included a statement or otherwise indicated that it will not accept the terms and conditions, or that acceptance is based on modifications to the terms and conditions.
 | [ ]  Pass [ ]  Fail |
| 1. If the applicant has submitted more than one application, each application is for a distinct project (i.e., no overlap with respect to the tasks described in the Scope of Work, Attachment 5).

*If the projects are not distinct and the applications were submitted at the same time, only the first application screened by the CEC will be eligible for funding. If the applications were submitted separately, only the first application received by the CEC will be eligible for funding.* | [ ]  Pass [ ]  Fail |
| 1. The Application includes Commitment Letters that total the minimum of 100*%* in match share of the total requested CEC funds for private entities.
 | [ ]  Pass [ ]  Fail |
| 1. The applicant is an eligible applicant (Section II, Eligible Applicants).
 | [ ]  Pass [ ]  Fail |
| 1. The project is an eligible project (Section I, Project Focus).
 | [ ]  Pass [ ]  Fail |

The CEC may have waived the requirement for a signature on application materials for this solicitation. If a [notice regarding CEC’s waiver](https://www.energy.ca.gov/funding-opportunities/solicitations) of the signature requirement appears here: https://www.energy.ca.gov/funding-opportunities/solicitations, the waiver applies to this solicitation. In the event of a conflict between the notice and any language in this solicitation regarding signatures, the notice will govern.

**Additional Screening Criteria for Past Performance**

| **Screening Criteria** |  |
| --- | --- |
| **Applicant Past Performance with CEC**The applicant—defined as at least one of the following: the business, principal investigator, or lead individual acting on behalf of themselves—received funds from the CEC (e.g., contract, grant, or loan) and entered into an agreement(s) with the CEC and demonstrated **severe performance issues** characterized by significant negative outcomes including:* Significant deviation from agreement requirements.
* Termination with cause.
* Demonstrated poor communication, project management, and/or inability, due to circumstances within its control, from materially completing the project.
* Quality issues with deliverables including poorly written final report that prevents publishing.
* Severe unresolved negative audit findings.
 |  |
| **Must pass to continue with Scoring Criteria** | **Pass/Fail** |

## Full Application Phase Two – Scoring

Proposals that pass ALL Screening Criteria and are not rejected as described in Section IV.C. will be evaluated based on the Scoring Criteria on the next page and the Scoring Scale below Each criterion has an assigned number of possible points and is divided into multiple sub-criteria. The sub-criteria are not equally weighted. The Project Narrative (Attachment 3) must respond to each sub-criterion, unless otherwise indicated. **Only full applications with a score of 70 percent or higher in each Evaluation Criterion, excluding the Match Funds Criterion, will be eligible to receive a full application award.**

**Scoring Scale**

|  |  |  |
| --- | --- | --- |
| **% of Possible Points** | **Interpretation** | **Explanation for Percentage Points**  |
| 0% | Not Responsive | Response does not include or fails to address the requirements being scored. The omission(s), flaw(s), or defect(s) are significant and unacceptable. |
| 10-30% | Minimally Responsive | Response minimally addresses the requirements being scored. The omission(s), flaw(s), or defect(s) are significant and unacceptable. |
| 40-60% | Inadequate | Response addresses the requirements being scored, but there are one or more omissions, flaws, or defects or the requirements are addressed in such a limited way that it results in a low degree of confidence in the proposed solution. |
| 70% | Adequate | Response adequately addresses the requirements being scored. Any omission(s), flaw(s), or defect(s) are inconsequential and acceptable. |
| 75% | Between Adequate and Good | Response better than adequately addresses the requirements being scored. Any omission(s), flaw(s), or defect(s) are inconsequential and acceptable. |
| 80% | Good | Response fully addresses the requirements being scored with a good degree of confidence in the applicant’s response or proposed solution. No identified omission(s), flaw(s), or defect(s). Any identified weaknesses are minimal, inconsequential, and acceptable. |
| 85% | Between Good and Excellent | Response fully addresses the requirements being scored with a better than good degree of confidence in the applicant’s response or proposed solution. No identified omission(s), flaw(s), or defect(s). Any identified weaknesses are minimal, inconsequential, and acceptable. |
| 90% | Excellent | Response fully addresses the requirements being scored with a high degree of confidence in the applicant’s response or proposed solution. Applicant offers one or more enhancing features, methods or approaches exceeding basic expectations. |
| 95% | Between Excellent and Exceptional | Response fully addresses the requirements being scored with a better than excellent degree of confidence in the applicant’s response or proposed solution. Applicant offers one or more enhancing features, methods or approaches exceeding basic expectations. |
| 100% | Exceptional | All requirements are addressed with the highest degree of confidence in the applicant’s response or proposed solution. The response exceeds the requirements in providing multiple enhancing features, a creative approach, or an exceptional solution. |

|  |
| --- |
| **Scoring CRITERIA****The Project Narrative (Attachment 3)** must respond to each criterion below. The responses must directly relate to the solicitation requirements and focus as stated in the solicitation. |

| **Scoring Criteria** | **Maximum Possible Points** |
| --- | --- |
| **Demonstrated Need or Value of the Project**1. Clearly identify and provide detailed goals and objectives of the project and its products and provide a justification for the need and/or value of the project as a whole. Include a purpose, benefits, and justification for the need and/or value of each of the technical tasks or activities proposed to develop the anticipated product.
2. Clearly describe the validity and effectiveness of any technical approach proposed, as well as the soundness of the scientific and/or engineering principles involved.
3. Identify and discuss any non-economic benefits of the proposed project/activities and who will receive those benefits.
4. Identify and discuss any consequences that may result from not doing the proposed project.
5. Include and address long-term considerations associated with proposed project activities, such as system maintenance, wastestream management, or disposition of any equipment.
6. Pursuant to CCR Section 1665 (a)(8), for private entity applicants: Include a discussion of how the applicant, if awarded a grant, will obtain approval for the grant from a representative of the city, county, or Indian reservation where the project is to be located, in accordance with PRC Section 3822(g)(3).
 | **20** |
| **Proven Extent of the Resource**1. Clearly identify and provide detailed information on the proposed eligible project listed in Section 1.C of this solicitation manual.
2. Demonstrate sufficient knowledge and understanding of the geothermal resource and/or lithium recovery from geothermal brine, as well as local and regional conditions and/or barriers, to allow achievement of the proposed project goals and objectives, and successful completion of tasks.
3. Identify the degree to which the geothermal resource and/or lithium recovery from geothermal brine is developed and capable of supporting the proposed project and/or benefiting from project activities.
4. Include/address appropriate documentation of activities already undertaken, such as technical and/or economic feasibility studies, resource assessments and exploration data, environmental impact data, or other assessments, to support the resource information or statements provided in the application.
 | **15** |
| **Contribution to Development of California’s Geothermal Energy and Lithium Recovery from Geothermal Brine** 1. Provide a discussion of the proposed project in relation to the current status of geothermal and/or lithium recovery from geothermal brine planning, research, development, or impact mitigation in California.
2. Identify and discuss how and to what degree the project or project activities will contribute to the understanding and/or development of California’s geothermal energy resources and/or lithium recovery from geothermal brine as well as local, regional, and statewide effects.
 | **15** |
| **Likelihood of Success** 1. Include a realistic schedule for completion of the project tasks (not to exceed 36 months), as well as clearly described products for each task and an appropriate budget.
2. Demonstrate how the project tasks are separate and distinct tasks that are clearly defined and logically presented, with appropriate purpose, goals, objectives, and products.
3. Provide adequate documentation, discussion, and justification that the project team has the technical and administrative qualifications, capabilities, and specific experience necessary to successfully manage and complete the project tasks within the time allowed.
4. Identify and include the appropriate California licensed professionals as needed for the identified tasks.
5. Address and discuss the level of commitment to the project from the applicant and any project partners, including financial or match contribution commitment. Include letters of commitment or support, if applicable. Demonstrate if the match commitment is secured or if it is contingent upon something else.
6. Demonstrate compliance with CEQA and provide the necessary supporting documents.
7. Describe quantifiable/measurable technical, administrative, and economic performance goals and objectives for the project, including what criteria will be used to determine project successes and failures.
8. Describe possible project barriers and how any necessary contingencies, improvements or corrections will be identified and implemented during the course of the project.
 | **15** |
| **Public Involvement**1. Address and discuss the level of interest in and/or commitment to the project from any interested parties or the general public. Include letters of public commitment or support, if applicable.
2. Include a sound plan for public outreach/involvement or communication of project results.
3. Clearly demonstrate that the project team has the ability to prepare clear and well written documents and reports for a general public audience.
 | **10** |
| **Payback and Cost Effectiveness**1. Describe how the overall project cost is consistent with the proposed work and products to be provided.
2. Describe how the personnel rates/costs, operating expenses, and overhead rates/costs are reasonable for the proposed work and consistent with the experience of the project team.
3. Describe why the requested level of funding is reasonable and appropriate.
4. Describe to what degree, if any, project activities or products will provide benefits or revenues sufficient to offset or pay back project investment.
 | **10** |
| **Economic and Employment Benefit**1. Describe and quantify any expected economic and employment benefits from the proposed project, such as any economic or employment benefits associated with reduced energy or fuel costs, natural resource conservation, reduced environmental impacts, job creation, permitting or regulatory streamlining, tax revenue generation, or other measures of economic or employment benefit.
2. Identify who will receive any economic and/or employment benefit(s) from the proposed project and the expected timeline for realizing those benefits.
3. Identify the Disadvantaged Community**, low-income community,** and/or a tribal land, in which the project is located**, if any**.
4. Identify how the project will provide local employment opportunities and benefits to the community and/or Tribal lands.
5. *For private entity applicants:* a detailed discussion of the tangible benefits provided to a local jurisdiction by the project, including a description of the identified benefits and how they are provided by the project.
 | **10** |
| **Match Funds** Match funding is not required for local jurisdictions. Match funding is required in the amount of at least 100% of the requested project funds for private entities.Points under this criterion will be awarded to applications that exceed the minimum match requirements based on the percentage of match funds compared to requested grant funds using the tables below.For example, if a local jurisdiction is requesting $1,000,000 in grant funds and has commitment letters showing a $350,000 match commitment, the percentage of match funds compared to requested grant funds would be 35% and would receive 4 points.**Local Jurisdiction Match Scoring Table**

| Percentage of Match Funds Compared to Grant Funds | Score |
| --- | --- |
| >40% | 5 |
| >30 to 40% | 4 |
| >20 to 30% | 3 |
| >10 to 20% | 2 |
| >0 to 10% | 1 |
| 0% (minimum)  | 0 |

**Private Entity Match Scoring Table**

| Percentage of Match Funds Compared to Grant Funds | Score |
| --- | --- |
| >140% | 5 |
| >130 to 140% | 4 |
| >120 to 130% | 3 |
| >110 to 120% | 2 |
| >100 to 110% | 1 |
| 100% (minimum) | 0 |

 | **5** |
| **Minimum Passing Score 70%** | **70** |
| **Total Possible Points** | **100** |

1. Pacific Standard Time or Pacific Daylight Time, whichever is being observed. [↑](#footnote-ref-2)
2. This deadline does not apply to non-technical questions (e.g., questions concerning application format requirements or attachment instructions) or to questions that address an ambiguity, conflict, discrepancy, omission, or other error in the solicitation. Such questions may be submitted to the Commission Agreement Officer listed in Section G at any time prior to the application deadline. Please see Section G for additional information. [↑](#footnote-ref-3)
3. [Codes: Code Search (ca.gov)](https://leginfo.legislature.ca.gov/faces/codes_displayexpandedbranch.xhtml?lawCode=PRC&division=3.&title=&part=&chapter=6.&article=1.&goUp=Y) [↑](#footnote-ref-4)
4. [California Code of Regulations Title 20. Public Utilities and Energy: Division 2. State Energy Resources Conservation and Development Commission | California Energy Commission](https://www.energy.ca.gov/publications/2021/california-code-regulations-title-20-public-utilities-and-energy-division-2) [↑](#footnote-ref-5)
5. [Bill Text - AB-209 Energy and climate change. (ca.gov)](https://leginfo.legislature.ca.gov/faces/billTextClient.xhtml?bill_id=202120220AB209) [↑](#footnote-ref-6)
6. [Bill Text - SB-100 California Renewables Portfolio Standard Program: emissions of greenhouse gases.](https://leginfo.legislature.ca.gov/faces/billTextClient.xhtml?bill_id=201720180SB100) [↑](#footnote-ref-7)
7. AB 32 (Statutes of 2006, chapter 488) [↑](#footnote-ref-8)